

To: Garvin, Shawn[garvin.shawn@epa.gov]; Ryan, Daniel[Ryan.Daniel@epa.gov]; D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]; Early, William[Early.William@epa.gov]; schaffer, joan[schaffer.joan@epa.gov]; White, Terri-A[White.Terri-A@epa.gov]; damm, thomas[Damm.Thomas@epa.gov]; Sternberg, David[Sternberg.David@epa.gov]; Seneca, Roy[Seneca.Roy@epa.gov]; Heron, Donna[Heron.Donna@epa.gov]; Grundahl, Nancy[Grundahl.Nancy@epa.gov]; Smith, Bonnie[smith.bonnie@epa.gov]; Miller, Linda[miller.linda@epa.gov]; Ferrell, Mark[Ferrell.Mark@epa.gov]
From: Seneca, Roy
Sent: Thur 3/13/2014 5:08:46 PM
Subject: Headlines Highlights for RA's Tablet - THURSDAY, March 13, 2014

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Charleston Gazette

DEP: Freedom in compliance with demolition schedule

By David Gutman

CHARLESTON, W.Va. -- Freedom Industries has started tearing down its Elk River tank farm, where a faulty chemical storage tank contaminated the water supply of 300,000 people in January.

The company had agreed to begin demolishing the site by March 15.

On Friday, it completed a plan detailing how, and in what order, it would dismantle and remove its tanks from the site. That plan was approved and made public by the West Virginia Department of Environmental Protection on Wednesday.

Freedom has already begun cutting into tank 393, the northernmost tank on its property, to get at

the "tank heel," the last remnants of chemical in the tank. DEP spokesman Tom Aluise said, because of that, the company was in compliance with the agreed-upon demolition schedule.

The company anticipates that it will break even or make a small profit on the demolition after it sells its equipment as scrap metal.

The company has told U.S. Bankruptcy Court that it will permanently shut down after it has finished tearing down the site.

Almost all the chemicals have been transported off the site, but tank heel remains in the bottom of several tanks.

Tank heel is material that lies below the tank's valve, so it cannot be removed by normal pumping processes. That liquid will be extracted before tanks are demolished.

Aluise said there was no timeline for how long it would take to tear down the site.

A news release sent along with the plan said it is likely the licorice odor associated with the leaked chemical, Crude MCHM, will intensify during deconstruction. Aluise said there is a "really good chance" the odor will return.

It's still unclear if there are any adverse health effects from the chemical's fumes or odor, which were widespread after the leak and during the subsequent pipe-flushing process, but many residents reported nausea, light-headedness and other symptoms attributed to the smell.

The approved "tank decommission plan" states that the contractor will "control dust or other airborne emissions," including by spraying water to contain dust. There is no plan to directly control the chemical odor.

"There's nothing that I know of that addresses the licorice smell," Aluise said.

The plan says Freedom will attempt to solicit bids from at least three contractors to tear down the tanks. It also references Diversified Services, a company that has hauled chemicals for Freedom in the past and did much of the cleanup work immediately after the leak.

Diversified is currently under investigation by the DEP for alleged environmental violations and by federal agencies over undisclosed allegations.

According to the submitted plan, Diversified will work specifically on tank 396, the one that leaked about 10,000 gallons of Crude MCHM.

"Freedom understands that the Chemical Safety Board will clean and sandblast tank 396," the plan states. "Freedom will then coordinate with [the] CSB for Diversified to cut a doorway into tank 396. The selected contractor will cut the floor section from tank 396."

The CSB will keep tank 396's floor, where holes were found.

Aluise was unclear why Diversified was referenced in the plan if Freedom has yet to solicit bids for contractors, but he said there are contingency plans if the federal investigation interferes with Diversified's work.

"We were assured by C&E [the environmental contractor that produced the plan for Freedom] that if Diversified pulled out, C&E would have personnel on site immediately and there would be no interruption in work at the site," Aluise wrote in an email.

Before it enters into a contract or commencing fieldwork, Freedom must give 48-hours notice to its bankruptcy judge, representatives for its creditors and the DEP.

The company will conduct an asbestos study, with the results given to contractors as part of bid requests.

It also will do a similar analysis to check for lead-based paint on tanks. No on-site burning will be permitted and the company must make efforts to minimize stormwater runoff, including the use of impervious liners during and after tank removal.

Charleston Daily Mail

Two months after spill, residents weigh whether to trust water

by Andrea Lannom

Daily Mail Staff

CHARLESTON, W.Va. -- This past weekend marked two months since a chemical leak tainted the water supply for nine counties, and although many residents want to put the Freedom Industries incident behind them, some still have questions.

Will they ever trust the water again? If so, when?

The leak, discovered on Jan. 9, dumped thousands of gallons of crude MCHM and PPH into the Elk River. The water supply for about 300,000 West Virginians was contaminated.

Much has happened since the spill, though.

[See timeline of leak events](#)

The company at the heart of the leak declared bankruptcy and announced at one of its recent hearings that it will wind down its business.

Gov. Earl Ray Tomblin recently lifted the state of emergency after 51 days.

Area schools that covered drinking fountains for the past two months announced they would start using water again for cooking and drinking.

Shortly after flushing, hospitals went back to using tap water; although in more recent interviews, officials said they still are using bottled water to bathe infants.

And some businesses, although many are divided on the subject, have gone back to using tap water to prepare food.

But as the two-month mark has hit, some residents are still not sure if they can completely go back to normal.

In the neighborhoods surrounding the company, a telltale licorice odor lingered, strengthening near the tanks, where employees from various agencies hauled materials off the site.

Some of the people in the surrounding community expressed anger toward the company. Others said they had smelled the odor for a long time but no longer smell it in their water.

One recalled a family member telling her to move long before the leak happened, saying something just wasn't right. Many of the people in the surrounding neighborhoods did not want their names included in the paper and did not wish to be interviewed.

A few miles away from the facility, Ira Whited said he never had any trouble with his water and never recalled smelling anything from the facility when driving by it.

He said he never even smelled anything after the leak.

Whited noted he and his wife didn't always have city water in his house and said they "knew how to deal with bad water."

"We've been drinking the water for the past several weeks," he said.

Farther away from the site, Kelley Larck of Nitro wasn't so certain.

Larck remembered the days following the leak, filling and refilling gallon jugs from distribution sites and bringing it back to her family.

She and her two children also went to family and friends' houses to shower.

"We also would warm up water for baths but it was extremely costly," she said. "It took three to four jugs of water to get a good bath."

Even when the black licorice-like smell subsided, her fear didn't fade. Larck said she felt a little

more comfortable using the water for certain things but still buys cases of water to drink and brush her teeth.

"It is expensive and I'm still buying jugs of water," she said, noting that a big part of her grocery bill last week was dedicated to bottled water.

Larck said she still doesn't trust the water enough to drink but will use it for dishes, laundry and quick showers. However, she said her daughter still was scared about showering in the water, until she explained to her that the Centers for Disease Control and other officials deemed it safe.

"We're bathing in it but we don't have another choice," she said. "We can't keep going to other people's houses."

She doesn't know when she will trust the water enough to drink it, though.

"I don't know," she said. "It will be a while before I will drink it."

The crisis has led her to consider relocating to an unaffected area once affairs are in order.

"I won't purchase a home affected by the chemical spill," she said.

Although Charleston resident Laura Ray said she isn't considering moving, she still has lingering concerns about the water.

"We're not putting the water in our bodies," Ray said, referring to her family, which includes her 9-year-old, 4-year-old and 10-month-old children. "The chemical company has not been trustworthy in what it leaked into the river so, for the safety of the kids, we're not ingesting it. It's worth the peace of mind to buy bottled water."

Ray said following the leak, her house was stocked with bottled water and disposable plates and pans. She heated water on the stove for dishes and laundry.

Through the hardship and inconvenience, Ray said she has learned and wanted to teach her children that they could find a way to make it through times of crisis.

"Even if a situation comes up that you're not experienced with, you don't have to panic," she said. "I wanted to teach my children that you can find a way through any situation."

One thing that surprised Ray was some bigger companies' response. Ray said after reaching out, Similac sent ready-to-prepare formula and Purell sent 40 cases of hand sanitizer that she delivered around the community.

However, she said she was disappointed that in her experience, some larger cities didn't know what was happening in West Virginia and didn't offer a helping hand.

Ray said the leak showed the best and worst in the local community.

"I saw people gathering donations and driving to other people, driving the water down but there also was the worst with people buying cases and selling them for \$20 a case," she said.

Now, Ray said she uses the water for laundry, washing dishes and taking "very, very quick showers."

She uses bottled water to bathe her youngest child, however.

She is concerned about schools' decisions to use tap water and shared those concerns with her children's principal. She said the principal told her there was enough bottled water to get through the rest of this month and when supplies get low, she wants to have bottled water drives.

When asked when she thought she would trust the water again, she responded, "to ingest, I probably won't."

However, she said she wouldn't consider relocating after the leak.

"Every area has its issues whether it's the water or crime," she said. "There are many places far worse. As a parent with young children, this is a great area to raise them."

Allan Hathaway of Culloden said he felt fortunate because he narrowly missed the effects of the leak. In fact, he was about 300-feet away from the water line and has his water service from another source.

After hearing the news, Hathaway reached out to family and neighbors, who steadily flowed through his house for the next week to take showers, wash dishes and do laundry.

"There were a lot of people coming in. We were running out of hot water," Hathaway said. "The kids loved it though. It was like one big party."

Hathaway, who owns the Purple Onion at Capitol Market, said in the first few weeks, he was relying on cream broths for soups. He also smelled the strong licorice scent emanating from the ice.

However, he said he no longer smelled it after flushing the system.

And now, Hathaway said he's fine with using the water.

"The CDC says it's fine, the governor says it's fine and at this point, I want it to be behind us. I want to move forward," Hathaway said.

He said the chemical leak has taught him to enjoy the simple things people take for granted.

"Water is so small but it affected so many people. You don't think about flipping on the light switch or turning on the faucet," he said. "It's good to have a network, whether you have extra

food or a shower for people to use. ... But now, I feel safe with it and the past is the past."

Contact writer Andrea Lannom at Andrea.Lan...@dailymailwv.com or 304-348-5148. Follow her at www.twitter.com/AndreaLannom.

Chesapeake Bay Journal

D.C.'s 'forgotten river' getting some attention

By Whitney Pipkin

Groups focused on cleaning up the Anacostia River in the District of Columbia say they're finally getting traction on key components of a cleanup effort that has moved in fits and starts for decades.

In February, seven of these groups, including the Anacostia Watershed Society and Anacostia Riverkeeper, joined forces to form a new coalition called United for a [Healthy Anacostia River](#). The coalition's first goal was to review — and bring to the public's attention — [a key draft plan](#) released by the District Department of the Environment at the end of January.

The long-awaited plan lays out a framework for cleaning toxins from the bottom sediments of the Anacostia River, a step that many have called the "third leg" of the cleanup in and along this waterway, along with efforts to reduce polluted stormwater runoff and combined sewer overflows in the city.

"We think that finally progress is being made on all three fronts," said Brooke DeRenzis, project director at [DC Appleseed](#), a nonprofit that taps into a team of pro-bono lawyers to address public policy issues.

DC Appleseed first suggested that a plan to address legacy toxins should be part of a holistic approach to restoring the Anacostia River in a 2011 report. Contaminants in the river include PCBs, arsenic and heavy metals, which make the river unsafe for swimming or harvesting fish (although a study early last year found that as many as [17,000 people](#) could still be eating fish from the river, some of them out of hunger).

The sources of these contaminants already were being addressed along the river's shore through a half-dozen superfund cleanup projects in various stages at sites like the Washington Navy Yard and Kenilworth Park landfill. DeRenzis said her organization recognized the merits of these projects but noted that they don't address toxic sediment that may have moved to other parts the river.

In 2012, DDOE began the process of systematically investigating where contaminated sediment

may be in the river and how to address it. The remedial investigation draft plan released early this year was the first step in what could be a long superfund cleanup process toward that goal.

Another reason for forming the coalition of Anacostia groups was to make sure the toxics cleanup continues to move forward at a reasonable pace. Doug Siglin, formerly the federal affairs director for the Chesapeake Bay Foundation, recently joined the Federal City Council to spearhead its new Anacostia River Initiative and help lead the coalition.

Former D.C. Mayor Anthony Williams — who took a special interest in the Anacostia during his tenure — now serves as CEO of the Council, which works with business and civic leaders to address problems in the city. The Summit Fund of Washington awarded the Council's new river project a sizable two-year grant that paved the way for Siglin's hire.

The Anacostia Watershed Society also recently welcomed a new leader, Dan Smith, who began serving as the nonprofit's public policy and advocacy director in the fall. Smith and Siglin worked together on Anacostia issues years ago when they were with different organizations and are now circling back to join forces at an opportune moment.

Smith said he sees the coalition playing a similar role for the Anacostia as the Choose Clean Water Coalition plays for the broader Chesapeake Bay.

Jeff Corbin, EPA senior adviser to the administrator for the Chesapeake Bay and Anacostia River, said he's encouraged to see the Anacostia coalition not only formed but also led by people who've been working on these issues for a couple of decades.

"I think they finally see the opportunity to get the right people together at the right time and actually make some progress," Corbin said.

Corbin added that, at times, he thinks the Anacostia River cleanup has more moving pieces and players than the entire Chesapeake Bay, with various groups laser-focused on their piece of the cleanup pie.

The Anacostia also has a number of different groups with different timelines for cleaning up the river. The city is aiming to restore the river to make it swimmable and fishable by 2032.

But DC Water plans to have completed the huge tunnels designed to greatly reduce combined overflow sewage by 2025, and the District's new stormwater permits should help reduce that source of pollution as early as 2016.

James Foster, president of the Anacostia Watershed Society, told a packed room of people at a recent brown bag lunch that his organization is aiming for a swimmable, fishable river by 2025. The lunch in early February (the presentations from which can now [be viewed online](#)), drew an unexpected 80 some people who wanted to hear more about and comment on the District's proposed plan for toxics in the river.

"This is almost a point in time you can mark as taking on the last leg of the stool that needs some

heavy lifting,” Foster said about the latest effort to address toxics.

Siglin told the group that there have been 26 different studies of the contaminants in the Anacostia over the past 27 years — but never any action taken on them other than a demonstration project at the Navy Yard. DDOE’s draft plan is the first step toward taking action on sediment contamination.

“The way this has to come to conclusion is that the public, the media, the Council and the mayor need to push for it,” Siglin told the group.

The Anacostia coalition is also pushing for the river to remain a key topic in the ongoing D.C. mayor’s race. The group, along with several other environmental organizations, will host a candidate’s forum on the environment and other issues at 6:30 p.m. on Friday, March 21 at 300 Tingey St. SE in Washington, D.C.

BNA Daily Environment Report

Murkowski Says New Technologies Needed to Combat Climate Change

By Anthony Adragna

March 12 — The U.S. has made progress at addressing climate change, but additional technologies are needed to promote the use of abundant energy resources while combating emissions, Sen. Lisa Murkowski (R-Alaska) told Bloomberg BNA.

Murkowski, ranking member on the Senate Energy and Natural Resources Committee, said the U.S. needed to invest in energy efficiency and energy conservation, and use best practices and new technologies to drive down emissions that contribute to climate change.

“Finding those technologies that allow us to use our abundant energy resources here more cleanly, more efficiently—that’s what we should be working on here,” Murkoswki said.

The senator said she did not think it was worth “quibbling” over what percentage of climate change stemmed from human activities, but said the U.S. should seek ways to combat climate change through a “balanced approach” that ensures continued development of its “abundant” energy resources.

“We also know that there are more people on planet Earth than there ever have been and we’re putting more things into the air and the water than we ever have in many, many parts of the

world,” Murkowski said. “So, let's be responsible in addressing what we're contributing” to climate change.

Murkowski made the comments just days after 31 senators concluded an overnight session to urge action on climate change. No Republican senators participated ([48 DEN A-1, 3/12/14](#)).

Four Democrats—Sen. Joe Manchin (W.Va.), Joe Donnelly (Ind.), Mark Warner (Va.) and Heidi Heitkamp (N.D.)—also have called for the development of new coal technologies to help combat emissions that cause climate change ([44 DEN A-4, 3/6/14](#)).

‘Differing Views’ Among Republicans

Murkowski said Republicans held “differing views” on what should be done to address emissions. For instance, some have said it is a waste of money for the U.S. to invest in new technologies when developing nations like China and India are responsible for large segments of greenhouse gas emissions.

“I take a different approach,” Murkowski said. “I'm one that is big into self-responsibility. We are a country that consumes a lot. I think that we should be more efficient. I think that we should conserve more. I think that we should lead in that way. I think that we should use the ingenuity and the smarts that we have as an amazing country and use that to develop technologies that not only help the United States but help the world.”

Many Republicans deny that human activities are having an impact on climate change, despite the fact 97 percent of scientists agree climate change is occurring. Sen. Jim Inhofe (R-Okla.), for example, has authored “The Greatest Hoax,” a book about climate change.

Climate Proposals ‘Don't Have Legs.’

Agreeing that legislative proposals like a carbon tax and cap-and-trade “don't have legs” in Congress now, Murkowski nevertheless expressed concerns about the effects such proposals would have.

She argued those proposals would result in substantially increased energy costs for the most vulnerable populations, such as rural Alaskans, who have no other options for energy.

“What I don't want to do is put the folks I work for—who are already at a place of energy poverty and energy insecurity—and make them less secure than they are right now,” Murkowski said.

To contact the reporter on this story: Anthony Adragna in Washington at aadragna@bna.com

To contact the editor responsible for this story: Larry Pearl at lpearl@bna.com

Washington Post

States fight chemical industry over proposed rules

By Reid Wilson, Updated: March 13 at 6:00 am

An effort in Congress to modernize a patchwork system of state and federal laws governing chemical safety is generating debate between a bipartisan group of state legislators who say the update would rob states of the ability to regulate sometimes toxic substances within their own borders and businesses who say they need regulatory certainty to grow jobs and the economy.

In a [letter](#) sent to the House Energy and Commerce subcommittee chairman and the ranking member, Reps. John Shimkus (R-Ill.) and Paul Tonko (D-N.Y.), the National Conference of State Legislators said a draft version of the Chemicals in Commerce Act would take authority to regulate chemicals out of the hands of states and localities. Regulation would be entirely up to the Environmental Protection Agency.

Legislators are particularly concerned with sections that would update rules by which chemical manufacturers would notify the EPA of research on their products and document that science.

Shimkus's [draft version of the bill](#) would vest all authority for rule-making, and for concluding whether a chemical is safe to use, with the head of the EPA, leaving states without input on the process.

Three sections of the bill "would essentially eliminate state policymakers' ability to regulate toxic chemicals at the state level by divesting all authority away from states and localities and placing this authority solely with the Administrator" of the EPA, Oregon Sen. Bruce Starr (R) and Nevada Sen. Debbie Smith (D) wrote.

"This approach would prevent states from establishing or continuing to enforce any state regulation of chemicals if the EPA has made a safety determination on the chemical, would prohibit states from regulating or banning any new chemical when the EPA makes a safety determination, and would eliminate states' ability to enact stricter or stronger laws than the federal government," the letter says.

But chemical industry leaders say the patchwork of state regulations puts a burden on businesses with already-low margins. Business leaders say they support federal preemption of stronger state restrictions.

"If the [EPA] has acted, it does not make sense to allow a state to take contradictory action," Roger Harris, chairman of the National Association of Chemical Distributors and president of a small chemical company near Chicago, [told the environment and economy subcommittee](#) Wednesday. EPA preemption of state laws "is of fundamental importance in

maintaining national markets and retaining business support for reform.”

At least 22 states have laws that regulate toxic chemicals to a greater degree than the federal government. Three states are moving to establish biomonitoring programs that keep tabs on the presence of chemicals in residents, while twelve states, from conservative Texas and South Carolina to liberal Oregon and California, allow state agencies to declare certain chemicals hazardous.

For example, twelve states prohibit the manufacture or sale of products containing polybrominated diphenyl ethers and similar chemicals, frequently used as flame retardants, which some studies have linked to inhibitions in development of children’s nervous systems. Under the proposed changes to the Toxic Substances Control Act, which passed Congress in 1976, those state measures that differ from federal guidelines would be nullified.

States would be free to regulate specific chemicals before the EPA takes action on them.

“The fact that states can’t even go stricter/stronger than the federal government in this area is really troubling for us,” said Susan Frederick, senior counsel at the National Conference of State Legislatures. “States are usually given floors, not ceilings.”

Tonko said he wanted states to keep the right to set their own rules.

“Federal law should set a floor to ensure a basic level of protection to all our citizens, but states must retain the right to act on behalf of their own citizens and to address circumstances that may be unique to their situations,” Tonko said in a statement to The Washington Post. “At this point, the draft legislation removes state protections from dangerous chemicals while failing to strengthen the federal law.”

Jordan Haverly, Shimkus’s spokesman, said in an e-mail that the Chemicals in Commerce Act remains just a draft, and that changes are likely before it is formally introduced. State supremacy came up at Wednesday’s hearing and has been subject of “bipartisan staff and member-level discussions,” Haverly said.

BNA Daily Environment Report

McCabe: Carbon Capture Feasible But Not Required for Power Plants

By Andrew Childers

March 12 — The Environmental Protection Agency's proposed carbon dioxide performance standard wouldn't explicitly require coal-fired power plants to install carbon capture systems, but the technology is feasible and will be available, a senior agency official told two House subcommittees March 12.

“When it comes to the technology we based those numbers on, we believe if you look across all the information and data that's available, we believe there's adequate data that the various components are in use, have been in use and will be ready,” Janet McCabe, the EPA acting administrator for air and radiation, said during a joint hearing of the House Science, Space and Technology's subcommittees on the environment and energy.

McCabe defended the EPA's determination that carbon capture has been adequately demonstrated to the point that the EPA used that technology to establish its proposed new source performance standard for new coal-fired power plants. She said Section 111 of the Clean Air Act, which requires the EPA to set performance standards, is intended to drive development and deployment of new emissions control technologies.

“There are many examples going back through time when Section 111 was the mechanism that took emerging technologies and brought them into the mainstream,” McCabe said.

McCabe cited the example of selective catalytic reduction to control emissions of nitrogen oxides as another technology that was determined to be feasible prior to the implementation of performance standards.

The EPA proposed its new source performance standards for carbon dioxide emissions from new fossil fuel-fired power plants Jan. 8 ([05 DEN A-4, 1/8/14](#)).

Limits Placed on Gas, Coal Units

The proposed rule would limit new gas-fired units to 1,000 pounds of carbon dioxide per megawatt-hour with a limit of 1,100 pounds of carbon dioxide per megawatt-hour for new coal-fired power plants. Meeting the proposed performance standard for new coal-fired units would require the use of carbon capture systems (79 Fed. Reg. 1,430).

The EPA will propose similar emissions standards for existing power plants in June as part of President Barack Obama's climate action plan.

In November 2013, EPA Administrator Gina McCarthy defended the EPA's proposal at a similar hearing before the House Science, Space and Technology Committee ([221 DEN A-1, 11/15/13](#)).

The agency subsequently published Feb. 26 a supplemental notice to its proposed rule providing further evidence for the agency's view that carbon capture systems are technologically viable for coal-fired power plants (79 Fed. Reg. 10,750; [39 DEN A-15, 2/27/14](#)).

Capture Requirement Called Premature

At the joint hearing March 12, the power industry argued that carbon capture technology hasn't been adequately demonstrated and shouldn't be mandated as part of the EPA's proposal.

"The conclusion is premature, given there are no commercially operating coal plants using this technology," said Scott Miller, general manager and chief executive officer for City Utilities of Springfield, Mo.

Robert Hilton, vice president of power technologies for government affairs for Alstom Power Inc., argued the EPA's proposal could effectively hamper development of carbon capture technology because it will drive more power generators toward natural gas as a cheaper alternative.

He also said that the EPA has overestimated how many power plants could sell their captured carbon dioxide for use in enhanced oil recovery (EOR) or chemical production.

"EPA needs to recognize that both chemicals and EOR are niche opportunities," Hilton said.

Storage Not Addressed

Rep. Cynthia Lummis (R-Wyo.), chairman of the Energy Subcommittee, said the EPA's proposal would require new coal-fired power plants to capture carbon dioxide, but it makes no provisions for how the captured gas would be stored.

"The EPA has implied that the rule does not need to speak to the issue of sequestration—that the cost and feasibility of carbon storage is outside the scope of their rulemaking," Lummis said. "Staying silent on the last steps of the process proves the lack of demonstrated commercial viability."

The EPA's Science Advisory Board had raised similar concerns during its review of the proposed rule. However, the advisors determined in January that no further review was necessary because sequestration is regulated by the EPA's Office of Water as part of the underground injection program and is outside of the proposed rule's scope([14 DEN A-1, 1/22/14](#)).

The House on March 6 approved the Electricity Security and Affordability Act (H.R. 3826), authored by Rep. Ed Whitfield (R-Ky.). It would bar the EPA from setting emissions limits for new power plants until carbon capture and storage technologies have been successfully demonstrated at six different sites for at least a year ([45 DEN A-2, 3/7/14](#)).

Energy Policy Act Violated?

The House Energy and Commerce Committee announced March 12 that it will investigate whether the EPA's proposed performance standards violate the Energy Policy Act of 2005 ([see related story](#)).

The act bars the EPA from setting a performance standard based solely on the performance of carbon capture projects that receive federal funding.

To contact the reporter on this story: Andrew Childers in Washington at achilders@bna.com

Rollingstone

Don't Drink the Water: West Virginia After the Chemical Spill

After a toxic disaster contaminated their water, the people of Charleston, West Virginia, are wondering if what's coming out of the taps is harmful. They're not getting any good answers

By [Heather Rogers](#)

March 12, 2014 12:25 PM ET

Sharon Satterfield, a grandmother of six in Charleston, West Virginia, doesn't touch the water. "It's still not all right," she says, standing in her son's modest ranch-style house, almost two months after a toxic chemical spill shut down the drinking water supply of 300,000 residents in and around the state capitol — one of the largest incidents of drinking water contamination in U.S. history. At the time, state authorities banned the use of tap water for everything except flushing toilets and fighting fires. A fifth-generation native of the Appalachian Kanawha River region (known as Chemical Valley), Satterfield has always used the water for everything. But even with the official go-ahead having been given several weeks ago, she refuses to drink it. Nor will she brush her teeth with it or shower in it; she won't run a load of laundry. She even refuses to mop the floor with the water. "It's sad," she says, her eyes tired. "All my life, with all the chemical plants, Carbide, DuPont and all the rest, we've never had a problem like this."

The Fossil Fuel Resistance

On a recent afternoon, the retired 68-year-old, who spent her working life at the local gas utility, shuffles around the kitchen in sneakers and green nurse's scrubs. She wears them because children are messy, but she looks, eerily, as though she's prepared to treat the sick. A one-gallon jug balances on the edge of the sink. The faucet, unused for weeks, is pushed to the side, away from the basin. The time is just past noon and Satterfield, whose ex-husband died from cancer six years ago, is warming a lunch of canned chicken soup and microwave macaroni and cheese for her three granddaughters, aged four, three and one. Packaged foods are now the norm in the house, as is the use of paper plates, plastic forks and disposable wipes. Before the two older girls sit down at their miniature table in the living room, Satterfield squirts antibacterial sanitizer into each pair of hands, making sure the girls rub it in. "This is how we do it now, no hand washing

from the tap," she says. Back at the stove, she stoops her head to check the temperature dial on the rear burner that's heating a pot of bottled water. This is for washing the few dishes and pans she uses, like the two older girls' sippy cups. Rinsing the cups and lids almost empties the water pot, using half a gallon of what many people here call "good," that is non-local, water. A few moments later, the three-year-old, in sequined pink cowboy boots, tiptoes into the kitchen and whispers that she wants hot dogs instead of soup. Satterfield pours a quart of water into another pot to cook the wieners. She goes through a gallon of clean water before lunch is even served.

Like thousands of families in the area, the Satterfields now live virtually without running water. Life in West Virginia wasn't all that easy to begin with. It is the third poorest state in the country; almost 18 percent of its population lives below the poverty line. Many people in the spill zone are now spending a chunk of their paychecks simply to have access to clean water — a necessity so fundamental it's one that people in a developed country should expect.

Since the spill, Archie Satterfield, Sharon's son, has doled out about \$400 on disposable goods and bottled water, in addition to all the extra gas he's burned driving to his sister's house in another county to do laundry, and bathe himself and his kids. One way he saves money is to replenish his drinking water at the office where he's a cleaner — one of his two jobs — which is on a different water system. There he'll refill six of the family's one-gallon jugs (he doesn't take all their empties so he won't seem greedy) as he has three times each week since the start of the water crisis.

On January 9th, 10,000 gallons of a chemical called crude methylcyclohexane methanol, or MCHM, and a significantly smaller, although unknown, amount of propylene glycol phenyl ether, or PPH, gushed from a ruptured storage tank directly into the Elk River. Owned by a company called Freedom Industries, the storage facility sits about a mile upstream from the intake for a nine-county area's drinking water supply. This water plant, belonging to West Virginia American Water (WVAW), lies at the heart of the state's most populous region.

At the time of the spill, Governor Earl Ray Tomblin, a Democrat, issued a strict do-not-use order for tap water, which lasted in some areas for 10 days. Businesses shuttered, schools closed, people mobbed grocery stores only to find empty water shelves. A mere four days after the spill, on January 13th, Governor Tomblin and the Centers for Disease Control and Prevention began lifting the ban in phases, explaining that they had established guidelines on acceptable MCHM levels in the water, and that these had been met. But two days after that, on January 15th, the Centers for Disease Control issued a [statement](#) warning pregnant women to avoid ingesting tap water. In the same letter, in an effort to calm everyone else, the agency insisted that it "does not anticipate any adverse health effects" for the rest of the population. But "does not anticipate" feels a long way from "safe." Sharon Satterfield and her family, like many of the region's residents—who are not the type to be skittish about chemicals — don't believe official assurances that the water is clean. Sitting in a recliner in his living room, Archie, who's 44, well groomed and wears a spotless white t-shirt, says he doesn't trust the water. "We don't know if it's going affect us in five years, or ten years, or even next week."

This stance is perfectly understandable given that Governor Tomblin and Jeff McIntyre, president of WVAW, have yet to definitively state that the water is safe. Instead they have

variously described it as "appropriate" and "usable for all purposes." At a hearing in Charleston on February 10th, when pressed to unambiguously confirm the water's safety, Letitia Tierney, Commissioner of the state Bureau for Public Health, responded, hardly reassuringly, "That's, in a way, a difficult thing to say because everybody has a different definition of safe." Apparently the West Virginia leaders handling the crisis also believe that everyone has a different definition of what's right and what's sane. Tierney's equivocation echoed the governor's hedge on the safety question at an earlier press conference. Instead of providing clear information, Tomblin dumped responsibility on the individual. "I'm not going to say absolutely, 100 percent, that everything is safe," he said. "It's your decision."

So decide is what hundreds of thousands of people on the Elk River water supply must now do, leading to a distinct sense of unease in a valley where hardship is no stranger. A 2013 Gallup-Healthways survey found West Virginia to have the lowest state of wellbeing in the country — for the fifth straight year. According to the study, state residents had the country's highest rates of cholesterol and blood pressure, and its second highest rate of obesity. Their emotional health is also suffering: residents of no other state had as negative an outlook on the future. And now, with the MCHM spill, those living in Chemical Valley have sustained another blow.

In Charleston things appear normal — businesses are open, the National Guard is gone, the tanker trucks of clean water are no longer idling in strip-mall parking lots — but scratch the surface and it's clear that the emergency is not over. Behind the counter at a café sit two five-gallon tanks of bottled water hooked up to the coffee machines. At a local eatery, when I order a soda, the bartender explains that it comes from the tap. "Are you sure you don't just want bottled water?" he asks. Grocery stores still can't keep their water shelves stocked. Talk to people on the street and you're told that no one drinks from the tap. Some people bathe in it, others use it to wash their clothes, but almost no one trusts it.

Dundalk Eagle

ELT rejects Coke Point proposal

by Nicole Rodman

Environmental Liability Transfer (ELT), landowner of the former Sparrows Point steel mill site, has rejected an offer by the Maryland Port Administration (MPA) that would turn Coke Point into a dredge containment facility.

In the wake of the news, which came on March 13, both ELT and MPA indicate that negotiations are still ongoing.

“We are currently in discussions with the property owner and we need to keep information confidential at this time,” Port of Baltimore spokesman Richard Scher said in a statement to The Eagle last week.

Of MPA’s plans for the Coke Point site, however, he added, “Our ultimate goal is to construct a state-of-the-art marine terminal that will generate many family-supporting, blue collar jobs and economic impact for our region. The marine terminal would be built after a critically needed dredged material containment facility is constructed and utilized.”

ELT told The Baltimore Sun on March 13 that it, too, is open to further negotiations on the Coke Point site.

“We are hopeful that we can find a solution that satisfies the MPA and our future plans at Sparrows Point,” ELT president and CEO Randall Jostes said.

Coke Point, at the southern tip of the Sparrows Point site, was used for coke processing and as a landfill until 1991.

One of the most contaminated portions of the Sparrows Point peninsula, the land was first identified as a potential site for dredge materials by the port’s Harbor Team in 2003.

While dredge material was formerly dumped at Hart-Miller Island, at the mouths of Back River and Middle River, dumping was discontinued at that site in 2009.

A 1997 law authored by District 6 State Senator Norman Stone prohibited new dredge facilities within five miles of Hart-Miller Island.

Reached for comment last week, Sen. Stone explained that the law would not need to be changed to accomodate a Coke Point facility, as it is outside of the five-mile radius.

He did point out that the Turning Basin, off the eastern shore of the peninsula, could not be used as it is within the five-mile limit.

According to MPA’s proposal for Coke Point, after 15 to 20 years as a dredge containment facility, the site would be turned into a marine terminal.

While this could generate jobs for the area, local environmental activist Russell Donnelly sees more harm than good in the proposal.

According to Donnelly, the digging and dredging required to accomodate a dredge facility and marine terminal at the site would release toxins from Coke Point back into the water and harm the delicate waterways of the Chesapeake Bay and nearby creeks.

A 2009 MPA report indicated that there is extensive toxic substance contamination at the Coke Point site.

Concentrations of benzene, naphthalene, lead and zinc were found in harbor sediments as far as

2,000 feet offshore from Coke Point.

Benzene is a carcinogen and naphthalene is a possible carcinogen.

The Environmental Protection Agency notes that short-term exposure to naphthalene can cause liver and neurological damage, while chronic exposure can lead to retina damage.

Contamination from Coke Point, Donnelly noted last week, has damaged the bay and nearby waterways such as Bear Creek.

As he pointed out, 35 years ago, there were no living seagrasses or marine life in these waterways due to contamination.

While some life has begun to come back and water quality is slowly improving, Donnelly sees the placement of a dredging facility as harmful to the progress that has been made.

“We would like to see our children and grandchildren have something we have worked decades to acquire,” Donnelly said of the tentative progress.

For his part, Donnelly would like to see the dredge material used to make an aggregate building material that could be used for many applications.

As for a new marine terminal, Donnelly points to the far less polluted Locust Point in south Baltimore as an ideal site.

Rather than continuing to use Sparrows Point for heavy industry, Donnelly envisions capping the site to seal in the toxins and then using the land for a new cruise terminal, hotels and tourist destination.

He also sees the site as ideal for cleaner high-tech industries. With these changes, Donnelly noted, the area could support thousands of jobs while not harming the environment.

“We can go back to heavy industrial or we can move forward,” he explained, noting, “We’re at a crossroads.”

For his part, port spokesman Scher indicated that, if MPA acquired Coke Point, some environmental remediation would take place.

While he noted that negotiations are ongoing, he said, “If we are unsuccessful in acquiring the Coke Point property, we would not be able to clean it up.”

In regard to specific actions MPA would take to clean the area, Scher noted that MPA understands the environmental concerns.

“That’s why we have performed preliminary sampling of the sediments and why, as the project moves forward, we will be performing additional sediment sampling,” he said. “The

most contaminated sediments in the water on the west side of Coke Point would be capped and isolated from the water column with MPA's project, reducing human and ecological risk."

Scher also noted that, "if additional sediment sampling shows reason for concern, there are many environmental dredging best management practices that could be implemented to ensure that the dredging will not harm the environment."

In his comments to The Eagle, Stone also pointed to the benefits of MPA remediating the site.

"The good point about it is that [MPA] has to remediate the property," he said, adding, "The property is in terrible shape. Before they do anything they have to remediate the property."

He also discussed the benefits of an eventual marine terminal at the site, saying, "it's better than what we have there now."

In concluding his remarks, however, Stone did note that "Myself, personally, I'd rather see more innovative use."

Negotiations between ELT and MPA regarding the future of Coke Point are ongoing.
